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SUBJECT: PREVAL TAKES ON IMPUNITY AS HIS NEXT CAUSE, ASKS  
UN ASSISTANCE WITH SPECIAL COURTS FOR "BLOOD CRIMES"

Classified By: Ambassador Janet A. Sanderson, reason 1.5(b) and (d).

¶1. (C) President Preval has told us that he Haitian judicial system is in no position to mete out justice in the wave of so-called "blood crimes", notably kidnapping and murder, which have marked the Haitian landscape for the past few years. With more than 700 gang members in jail, Preval wants to demonstrate to his people that Haitian justice is indeed changing. Towards that end, he will establish special courts to try individuals for "blood crimes." These courts would function within Haitian law, but employ "expert advisors" from abroad to prepare indictments and court dossiers, and advise on matters of law. Special magistrates and investigating judges will be selected. We note that the Minister of Justice tried something similar last year, when he established a kidnapping working group which prepared the case for a particularly gruesome kidnapping case. The defendant was found guilty by a Haitian court.

¶2. (C) At a pull aside following a meeting with Preval, the president told me that he had taken this step because he believes that the Haitian judicial system is irretrievably corrupt and his government can't fix it at this time. It will, he argued, take years to weed out all the venal (or worse) judges. In the meantime, Haitians need some sign that murderers will be called to account, he stated. Preval intends to have the courts up and running by June.

¶3. (C) UNSRSG Hedi Annabi told me that Preval first raised the possibility of a UN tribunal taking on the issue of blood crimes here. Annabi backed away from that idea quickly, observing that there would be no real enthusiasm in the UNSC for such a proposal. Furthermore, he told Preval, not only would he (Preval) be accused of selling out to the foreigners, but the UN would be accused of "recolonizing" Haiti. Instead, the UN has offered technical experts to help out with the understanding that they would keep a low profile. In addition, the UN will provide as-yet undetermined technical assistance to the Judicial Police (DCPJ) to enable them to investigate crimes and prepare dossiers more effectively. Discussions are ongoing between MINUSTAH and the GOH on modalities of this assistance.  
SANDERSON